



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Metcalfe

Application No.: 10/821,041

Filed: 4/8/2004

Title: Method and Apparatus for Controlling Pests

Attorney Docket No.: 50180

Art Unit:  
3643

Examiner:  
Ark, Darren W.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

MAILED 5/31/06

Dear Sir:

In response to the Office Action of May 31, 2006, please amend this application as follows:

In the claims

Please amend the claims as per the claim amendment sheet.

REMARKS

Status of the Claims

Claims 1-7 and 23-26, 28-41 and 43-48 are pending. Claims 8-22 and 42 have been cancelled. Claims 44-48 are new herein. Claims 1-7, 31, 47 and 49 are method claims ("method of controlling inserts,") of which claim 1 is the independent claim. Claims 23 - 30 are improved insect trap claims, of which claim 23 is the independent claim. Claims 32 -34, 40, 41, 43-46, and 48 are composition claims ("insect-controlling composition") of which claim 32 is the independent claim. Claims 35-39 and 50-52 are system claims ("system for controlling insects") based on the composition of claim 32.

Inventorship

In regard to inventorship, applicant agrees that there are inventorship issues that need to be corrected. The House of Lords refused to hear an appeal of the opinion of the Court of Appeal (copy of refusal of petition attached), finally terminating that litigation. The Court of Appeal had confirmed that instant inventor Colin Metcalfe and David Lax were the proper inventors for the PCT application GB99/02090, of which US SN 09/736,023 is the '371 National Stage and of which National Stage this is application is a continuation.